	Application No.	Applicant(s)
Notice of Allowability	09/742,113	TAJIME, JUNJI
	Examiner	Art Unit	
	Seyed Azarian	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the fax inquiry filed 1/26/2005*.

2. ☒ The allowed claim(s) is/are *1-48*.

3. ☒ The drawings filed on *22 December 2000* are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone interview

with Applicants Attorney (Frederick E. Cooperrider, Reg No. 36,769), on January 6,

2005, without traverse.

3.   The application has amended as follows:

~~PROPOSED~~ AMENDMENTS TO THE CLAIMS:

1. (Currently amended) A compressed moving picture re-encoding apparatus ~~that has an input compressed moving picture stream, generated by a compression-encoding of moving picture data, as an input signal, performs re-encoding at a pre-set average bit rate and at a variable bit rate, and has an output compressed moving picture stream whose bit rate has been changed as an output signal, said compressed moving picture re-encoding apparatus~~ comprising:

 means to receive an input compressed moving picture stream, generated by a compression-encoding of moving picture data, as an input signal;

 means for receiving ~~said~~ a pre-set average bit rate;

 means for computing a quantizer step size that is to be used in ~~said~~ a re-encoding of said input compressed moving picture stream that would have said pre-set average bit rate; ~~and~~

 means for inputting said computed quantizer step size and a quantizer step size in said input compressed moving picture stream and outputting a quantizer step size that is used in actual re-encoding;

 means to perform said re-encoding at said pre-set average bit rate and at a variable bit rate; and

 means to output said compressed moving picture stream whose bit rate has been changed.

2. (Currently amended) A compressed moving picture re-encoding apparatus ~~that has an input compressed moving picture stream, generated by a compression-encoding of moving picture data, as an input signal, performs re-encoding at a pre-set average bit rate and at a variable bit rate, and has an output compressed moving picture stream whose bit rate has been changed as an output signal, said compressed moving picture re-encoding apparatus~~ comprising:

 means to receive an input compressed moving picture stream, generated by a compression-encoding of moving picture data, as an input signal;

 means for receiving ~~said~~ a pre-set average bit rate;

 means for computing a quantizer step size that is used in ~~said~~ a re-encoding of said input compressed moving picture stream that would have said pre-set average bit rate;

 means for inputting said computed quantizer step size and a quantizer step size in said input compressed moving picture stream and outputting a quantizer step size that is used in actual re-encoding; ~~and~~

 means for selecting a larger quantizer step size from said quantizer step size that is used in re-encoding and said quantizer step size in the input compressed moving picture stream;

 means to perform said re-encoding at said pre-set average bit rate and at a variable bit rate; and

 means to output said compressed moving picture stream whose bit rate has been changed.

3. (Currently amended) A compressed moving picture re-encoding apparatus ~~that has an input compressed moving picture stream, generated by a compression-encoding of moving picture data, as an input signal, performs re-encoding at a pre-set average bit rate and at a variable bit rate, and has an output compressed moving picture stream whose bit rate has been changed as an output signal, said compressed moving picture re-encoding apparatus~~ comprising:

 means to receive an input compressed moving picture stream, generated by

a compression-encoding of moving picture data, as an input signal;
       means for receiving said a pre-set average bit rate;
       means for computing a quantizer step size that is used in said re-encoding;
       means for inputting said computed quantizer step size and a quantizer step size in said
input compressed moving picture stream and outputting a quantizer step size that is used in
actual re-encoding; and
       means for applying weighting, according to image characteristics, to the quantizer step
size that is used in said re-encoding, and adjusting that quantizer step size;
       means to perform said re-encoding at said pre-set average bit rate and at a variable bit
rate; and
       means to output said compressed moving picture stream whose bit rate has been
changed.

45. (Currently amended) A compressed moving picture re-encoding method ~~that has an input
compressed moving picture stream, generated by a compression-encoding of moving picture
data, as an input signal, performs re-encoding at a pre-set average bit rate and at a variable bit
rate, and has an output compressed moving picture stream whose bit rate has been changed as
an output signal, said compressed moving picture re-encoding method~~ comprising:
       receiving a value for ~~said~~ a pre-set average bit rate at which a compressed moving
picture stream is to be re-encoded;
       receiving a compressed moving picture stream that has been generated by a
compression-encoding of moving picture data;
       computing a quantizer step size that is used in said re-encoding; ~~and~~
       inputting said computed quantizer step size and a quantizer step size in said input
compressed moving picture stream and outputting a quantizer step size that is used in actual
re-encoding;
       performing a re-encoding of said compressed moving picture stream at said received
pre-set average bit rate; and
       outputting said re-encoded compressed moving picture stream.

46. (Previously presented) A compressed moving picture re-encoding method ~~that has an
input compressed moving picture stream, generated by a compression-encoding of moving
picture data, as an input signal, performs re-encoding at a pre-set average bit rate and at a
variable bit rate, and has an output compressed moving picture stream whose bit rate has been
changed as an output signal, said compressed moving picture re-encoding method~~ comprising:
       receiving a value for ~~said~~ a pre-set average bit rate at which a compressed moving
picture stream is to be re-encoded;
       receiving a compressed moving picture stream that has been generated by a
compression-encoding of moving picture data;
       computing a quantizer step size that is used in said re-encoding;
       inputting said computed quantizer step size and a quantizer step size in said input
compressed moving picture stream and outputting a quantizer step size that is used in actual
re-encoding; ~~and~~
       selecting a larger quantizer step size from said quantizer step size that is used in re-

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encoding and said quantizer step size in the input compressed moving picture stream;

    performing a re-encoding of said compressed moving picture stream at said received pre-set average bit rate; and

    outputting said re-encoded compressed moving picture stream.

REASONS FOR ALLOWANCE

4.   Applicant's arguments, filed 8/2/2004, see page 25 through page 28 of remarks,

with respect to claims 1-3, 42 and 44-46 have been fully considered and are persuasive.

The rejection of 103(a) of claims 1-3, 42 and 44-46 has been withdrawn.

5.   Claims 1-48 are allowed.

6.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Contact Information

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Seyed Azarian whose telephone number is (703) 306-

5907. The examiner can normally be reached on Monday through Thursday from 6:00
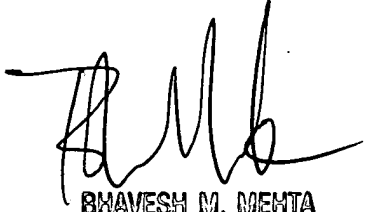
a.m. to 7:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bhavesh Mehta, can be reached at (703) 308-5246. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application information Retrieval (PAIR) system. Status information for published

application may be obtained from either Private PAIR or Public PAIR.

Status information about the PAIR system, see http:// pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Seyed Azarian
Patent Examiner
Group Art Unit 2625
January 26, 2005

BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
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